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April 10, 2024

Hon. Robert Lehrburger
United States Magistrate Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Application denied without prejudice for reasons
stated by NYCDSS at Dkt. 380.

RE: Webber, et al. v. Dash, et al
DOCKET NO. 1:19-cv-610-RWL

SO ORDERED:

4/22/2024

HON. ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dear Hon. Judge Lehrburger:

This office is counsel to the Plaintiffs in this matter. Pursuant to this Court's Order at Docket Entry 377, the Plaintiffs partially object to the Proposed Order at Docket Entry 375.

The Plaintiffs do not object to the priority of the City of New York Department of Social Services ("NYCDSS") or its intervention relating to the child support payments due to Cindy Morales and Rachel Roy, which NYCDSS contends is in excess of **\$123,000.00** and continues to compound each month against Damon Dash.

Prior to the intervention of NYCDSS, Plaintiffs obligation was to bear the burden of the costs relating the sale of the auction by the United States Marshal ("USM"). NYCDSS must bear the burden of any costs with the Plaintiff on a 50/50 basis and the Order must reflect the need to split expenses.

For example, USM has informed Plaintiff has there is no space available as the Courthouse located at 500 Pearl Street to conduct a live auction. Plaintiff must bear the burden of the cost of a new location and potentially other costs that will allow the USM to conduct the live auction. Those USM costs must be split with the Plaintiff if NYCDSS seeks the benefit of the live auction, and any Court Order must reflect the split of costs.

Next, there will be two additional intervenors within the next 2-3 weeks. The Plaintiff in Brown v. Dash, 23-mc-0092¹ will seek intervention and another judgment will

¹ Counsel is the Plaintiff in this matter which originated in California and has been domesticated in New York. The Court is aware of Counsel's judgment per previous proceedings in this action. See Docket Entry

soon be domesticated in New York from California, Bunn v. Dash, 20-CV-07389-DMG, and intervention will be filed on behalf of Ms. Bunn. The USM costs will be further split once the additional intervenors are allowed.

Lastly, the Plaintiffs are in negotiations to assign their two judgments totaling **\$823,284.71** plus interest to third parties. If an agreement is reached, I will inform the Court forthwith.

Sincerely,
Brown & Rosen LLC

By:

Christopher Brown

Christopher L. Brown

Cc: All parties via ECF

319, footnote 9. Brown's \$125,000 judgment against Damon Dash and Poppington LLC carries a 12 percent interest rate under Massachusetts law.